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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 XOCHI F. ROSE,

11 Plaintiff,

12 v.

13 STATE OF HAWAII, et al.,

14 Defendants.  
15

Case No. C17-1899 RSM

ORDER GRANTING MOTION FOR  
SERVICE BY UNITED STATES  
MARHSAL

16 This matter comes before the Court on Plaintiff's Motion for Service of Summonses by  
17 United States Marshal Service. Dkt. #17. Plaintiff Xochi F. Rose is proceeding in this matter  
18 *in forma pauperis* and therefore seeks assistance with service of the Summons and Complaint  
19 on Defendants. No Defendant has appeared in this matter.  
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21 Federal Rule of Civil Procedure 4(c)(3) provides:

22 At the plaintiff's request, the court may order that service be made  
23 by a United States marshal or deputy marshal or by a person  
24 specially appointed by the court. The court must so order if the  
25 plaintiff is authorized to proceed in forma pauperis under 28  
U.S.C. § 1915 or as a seaman under 28 U.S.C. § 1916.

26 The Rule allows the Court to order service by the Marshal when requested, and  
27 mandates it for in forma pauperis prisoner plaintiffs proceeding under 28 U.S.C. § 1915.  
28 Although Plaintiff was granted leave to proceed in forma pauperis in this Court, she is not a

1 prisoner. However, the Court recognizes that Plaintiff has limited means and the Court should  
2 assist in the service of this matter. Plaintiff has provided sufficient information to effect service  
3 of the Summons and Complaint.

4 Having reviewed Plaintiff's motion, and for the reasons stated above, the Court hereby  
5 finds and ORDERS:

- 6 1. Plaintiff's Motion for Service by U.S. Marshal (Dkt. #17) is GRANTED.
- 7 2. The United States Marshal shall send the following to each named Defendant by  
8 first class mail: a copy of the Complaint (Dkt. #4) and of this Order, a copy of the appropriate  
9 Summons (Dkt. #10), two copies of the Notice of Lawsuit and Request for Waiver of Service  
10 of Summons, a Waiver of Service of Summons, and a return envelope, postage prepaid,  
11 addressed to the Clerk's Office for each Defendant. All costs of service shall be advanced by  
12 the United States. The Clerk SHALL assemble the necessary documents to effect service.  
13 3. The Clerk shall mail a copy of this Order to Plaintiff via U.S. Mail.

14 DATED this 16<sup>th</sup> day of February 2018.

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20 RICARDO S. MARTINEZ  
21 CHIEF UNITED STATES DISTRICT JUDGE  
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